

whereby placement of the sensor site in the casing of the pen-based computing device enables a continuous capture of a facial image print while the pen-based computing device is being used.

Kindly add the following claims:

21 (New). The pen-based computing device of Claim 18, wherein the pen-based computing device includes a processor and a stylus, the processor having a display screen, the fingerprint sensor site being disposed in the casing of the processor.

22 (New). The pen-based computing device of Claim 18, wherein the pen-based computing device includes a processor and a stylus, the processor having a display screen, the fingerprint sensor site being disposed in the casing of the stylus.

23 (New). The pen-based computing device of Claim 18, wherein the pen-based computing device includes a wallet or a pouch, the wallet or pouch being in digital engagement with the pen-based computing device, the fingerprint sensor being disposed in the casing of the wallet or pouch.

#### REMARKS

Applicant appreciates the courtesies shown him in numerous telephone conversations with Examiner Callahan regarding the present application. Also, Applicant thanks the Examiner for his careful and thorough examination in the Office Action of October 5<sup>th</sup>, 2005.

In the Office Action of October 5<sup>th</sup>, 2005, the Examiner rejected Claim 18 under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent No. 6,307,956. Claims 19 and 20 were allowed. The Examiner indicated in the Office Action that a terminal disclaimer timely filed in compliance with 37 CFR §1.321(c) may overcome such rejection. Such terminal disclaimer is enclosed.

Also, new Claims 21 through 23 have been added, each of which depends from Claim 18. These Claims are being submitted to list the various positions within the pen-based computer where the sensor site is disposed. Entry of such new claims is respectfully requested.

### Conclusion

It is respectfully submitted that Claims 18 through 23 are now in condition for allowance. If after reviewing this Amendatory Response, there are any remaining informalities which need to be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to try to resolve any such informalities.

November 22, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald R. Black". The signature is stylized with a large initial "G" and a long horizontal stroke.

Gerald R. Black  
Registration Number 29,514  
30320 Southfield Road, Suite 67A  
Southfield, Michigan 48076

248.644.1014 phone  
413.521.4703 fax